

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MAXIE A. MOORE,

Petitioner,

v.

WARDEN CHARLES DANIELS,

Respondent.

Civ. No. 04-1272-TC

ORDER

Aiken, Judge:

Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned action on March 24, 2005. Magistrate Judge Coffin recommends that the petition filed under 28 U.S.C. § 2241 be denied and the case dismissed. Magistrate Judge Coffin found that the Bureau of Prisons' Safety Factor Sex Offender classification was not improperly applied, and that petitioner was not eligible for participation substance abuse programs or for early release or halfway house placement. 28 U.S.C. § 2244(d)(1). The matter is

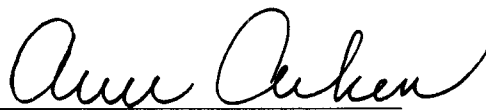
now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Petitioner has filed timely objections to the Findings and Recommendation. I have, therefore, given de novo review of Judge Coffin's well-reasoned and thorough opinion, and I find no error.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 16) filed March 24, 2005, is ADOPTED in its entirety. The petition (doc. 1) is DENIED, and this case is DISMISSED.

IT IS SO ORDERED.

Dated this 20 day of May, 2005.

A handwritten signature in cursive script, reading "Ann Aiken".

Ann Aiken
United States District Judge